

MAY 09 2006

ROBERT H. SWEENEY, CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

DAVID FRAZIER, ET AL.

versus

CIVIL ACTION NO. 02-0698
JUDGE S. MAURICE HICKS, JR.

CITY OF BOSSIER CITY, ET AL.

MEMORANDUM ORDER

During a pretrial conference held on April 20, 2004 in the above-captioned matter, the court discussed the plaintiff's failure to respond to the defendants' requests for admissions. Thereafter, this court issued a minute entry stating that it "will examine the requests for admissions propounded by defendants in January 2004, that remain unanswered by the plaintiff. Any requests for admissions found proper by the Court will be deemed admitted." Record Document 102. More than two years have passed since the aforesaid pretrial conference, yet the plaintiff's failure to respond and failure to comply with Federal Rule of Civil Procedure 36(a) continues.

Rule 36(a) compels a party to respond to requests for admissions within 30 days. If a party neglects to respond to such a request within that 30 day period, the law deems the matter admitted and conclusively established unless the "admitting" party takes certain action to reverse this result. See In re Carney, 258 F.3d 415,

418-20 (5th Cir. 2001). Plaintiff, however, has taken no such action in the two year period that has passed since this issue first arose and has persisted in her failure to submit any response to the defendants. Accordingly;

IT IS ORDERED that the requests propounded by the defendants are hereby deemed **ADMITTED**.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 9th day of May, 2006.

A handwritten signature in black ink, appearing to read "S. Maurice Hicks, Jr.", written in a cursive style.

JUDGE S. MAURICE HICKS, JR.